

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

LINDA J. ROBLES, as Personal
Representative of the Estate of
MIGUEL A. MERCADO, deceased,

Plaintiff,

v.

Case No. 8:19-cv-1293-T-60AAS

GEICO INDEMNITY COMPANY,

Defendant.

**ORDER OVERRULING PLAINTIFF'S OBJECTION TO
APRIL 14, 2020, ORDER; AND DENYING AS MOOT
PLAINTIFF'S "UNOPPOSED MOTION TO STAY COMPLIANCE"**

This matter is before the Court on Plaintiff Linda J. Robles's objection to United States Magistrate Judge Amanda Sansone's Order dated April 14, 2020. (Doc. 90). In her Order, Judge Sansone granted Defendant GEICO Indemnity Company's motion for an *in camera* review and took under advisement its motion to compel certain documents listed as withheld on Plaintiff's privilege log pending the *in camera* review. (Doc. 85). On April 28, 2020, Plaintiff timely filed her objection and a motion to stay compliance with the April 14, 2020, Order while this Court considered the objection. (Docs. 90, 91).

A party may file objections to a magistrate judge's order on a non-dispositive pretrial matter within fourteen days after service of the order. Fed. R. Civ. P. 72(a). When objections are filed, the district court "must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." *Id.* An order is contrary to law if the magistrate judge failed to apply or misapplied the relevant statutes, case law, or procedural rules. *TemPay, Inc. v. Biltres Staffing of Tampa Bay*,

LLC, 929 F. Supp. 2d 1255, 1260 (M.D. Fla. 2013) (citing *S.E.C. v. Kramer*, 778 F. Supp. 2d 1320, 1326-27 (M.D. Fla. 2011)).

After an independent and *de novo* review of the record, the undersigned concurs with Judge Sansone. Judge Sansone's April 14, 2020, Order is neither clearly erroneous nor contrary to law. Consequently, Plaintiff's objection is overruled, and Judge Sansone's April 14, 2020, Order shall remain the Order of the Court. Because the Court has overruled the objection, Plaintiff's "Unopposed Motion to Stay Compliance" is denied as moot.

It is therefore **ORDERED, ADJUDGED, and DECREED:**

- (1) Plaintiff's objection (Doc. 90) is **OVERRULED**, and Judge Sansone's April 14, 2020, Order (Doc. 85) shall remain the Order of the Court.
- (2) Plaintiff's motion to stay compliance (Doc. 91) is denied as moot.
- (3) Plaintiff is directed to observe the procedures and deadlines of Judge Sansone with respect to complying with the April 14, 2020, Order.

DONE and ORDERED in Chambers, in Tampa, Florida, this 29th day of April, 2020.



TOM BARBER
UNITED STATES DISTRICT JUDGE